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*Attorneys for Defendant Ainsworth Game Technology, Inc.*

**UNITED STATES DISTRICT COURT**

## DISTRICT OF NEVADA

DEBORAH HULBERT an individual,

Plaintiff,

vs.

AINSWORTH GAME TECHNOLOGY,  
INC., a Florida corporation; DOES 1  
through 20, inclusive.

## Defendants.

Case No. 2:16-cv-01552-GMN-CWH

**DEFENDANT'S REQUEST FOR  
EXCEPTION TO EARLY NEUTRAL  
EVALUATION ATTENDANCE  
REQUIREMENTS**

Defendant Ainsworth Game Technology, Inc. (“Defendant”), by and through its counsel Jackson Lewis P.C., hereby respectfully requests an exception to the early neutral evaluation (“ENE”) attendance requirements.

Defendant is insured with Freedom Specialty Insurance Co. (“Freedom Specialty”). However, Defendant’s insurance policy contains a substantial self-insured retention, and Freedom Specialty is located in the State of New York, thus a representative from Freedom Specialty would incur substantial cost and time requirements to travel to the State of Nevada for the Early Neutral Evaluation Session. A representative from Specialty Insurance can participate equally effectively via telephone.

The parties conferred regarding this request on September 26, 2016. Plaintiff's counsel indicated that he has no objection to the representative of the insurance company appearing telephonically as needed. Moreover, participation by the insurance carrier via telephone will not adversely affect the ENE, and Defendant will attend the ENE with appropriate settlement authority.

Based on the foregoing, Defendant respectfully requests that a representative from Defendant's insurance carrier be excused from attending in person the ENE; however, a representative will be available telephonically as needed.

Dated this 27th day of September, 2016

JACKSON LEWIS P.C.

*/s/ Phillip C. Thompson*  
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*Attorneys for Defendant Ainsworth Game Technology, Inc.*

IT IS SO ORDERED

**UNITED STATES MAGISTRATE JUDGE**  
**DATED:** 9-27-2016

**CERTIFICATE OF SERVICE**

I hereby certify that I am an employee Jackson Lewis P.C. and that on this 27th day of September, 2016, I caused to be sent via ECF filing **DEFENDANT'S REQUEST FOR EXCEPTION TO EARLY NEUTRAL EVALUATION ATTENDANCE REQUIREMENTS** to the following:

James P. Kemp  
Kemp & Kemp  
7435 W. Azure Dr., Suite 110  
Las Vegas, NV 89130

*Attorney for Plaintiff*

/s/ Kelley Chandler  
Employee of Jackson Lewis P.C.

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